

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after **February 19, 2009**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **February 17, 2009**.

BACKGROUND/OVERVIEW:

Currently, Section 82015(b)(2)(B)(iii) of the Political Reform Act, Sections 81000-91015 of the Government Code, requires candidates who are elected officers or members of the California Public Utilities Commission to report with their agency any behested payments for a legislative, governmental, or charitable purpose, if those payments, whether separately or in the aggregate, meet or exceed \$5,000 in one year from one source. The Commission has not previously provided a report to facilitate such reporting.

Regulation 18215.3 creates the report on which officials will disclose these payments. The regulation explains what information must be included on the report and where and when it must be filed. Also explained is a process for posting the reports on the official's website, or if none, posting on the website of the agency with whom the official files his or her campaign statements. If the behested payments are made to produce an event, the officials need not itemize the payments. If more than one official behests the same payment by the same person, each official must report the full amount on a separate form.

REGULATORY ACTION:

Adopt 2 Cal. Code Regs. Section 18215.3:

Proposed Regulation 18215.3 would create a uniform report for behested payments. The regulation would explain the requirements listed in the statute and state that the Commission and local agencies will post the forms or the information found thereon on their websites. If a local agency has no website, the Commission will post the information.

SCOPE:

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT:

Fiscal Impact on Local Government. This regulation will not have an impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY: Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE: The purpose of this regulation is to implement, interpret, and make specific Government Code Section 82015.

CONTACT: Any inquiries should be made to Heather M. Rowan, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.html?id=351>.